

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 22-13610-CC

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NOAH MALGERI,  
KAYLN WOLF,  
BILL WILSON,  
SHANNON HOOD,  
ROBERT MCKEOWN,  
ERIC FISHON,

Plaintiff-Appellant,

versus

VITAMINS BECAUSE, LLC,  
CT HEALTH SOLUTIONS, LLC,  
ASQUARED BRANDS LLC,

Defendants-Appellees.

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Appeal from the United States District Court for the  
Southern District of Florida

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Before: JORDAN, BRANCH, and LUCK, Circuit Judges.

BY THE COURT:

Upon review of the record and the parties' responses to the jurisdictional questions, we DISMISS this appeal for lack of jurisdiction. Appellants appeal the district court's September 30, 2022, order dismissing their Third Amended Complaint for lack of jurisdiction. That order, however, did not dispose of aSquared Brands LLC's cross-claim for breach of contract asserted

against Vitamins Because, LLC, and CT Health Solutions, LLC. Accordingly, the September 30 order is not final, and the district court did not certify it for immediate review. *See* 28 U.S.C. § 1291; *Acheron Cap., Ltd. v. Mukamal*, 22 F.4th 979, 986 (11th Cir. 2022) (“A final decision is typically one that ends the litigation on the merits and leaves nothing for the court to do but execute its judgment.”); *Supreme Fuels Trading FZE v. Sargeant*, 689 F.3d 1244, 1246 (11th Cir. 2012) (explaining that an order that adjudicates fewer than all claims against all parties is generally not final and appealable absent certification by the district court under Federal Rule of Civil Procedure 54(b)); *Fed. Election Comm’n v. Reform Party of the U.S.*, 479 F.3d 1302, 1306 (11th Cir. 2007) (explaining in particular that an order that does not adjudicate or address cross-claims is not a final decision).